IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
Notice No.4 of 2006
In
Execution Application No.467 of 2005
In
Summary Suit No.1682 of 1998

Kaveri Impex Pvt. Ltd. .. .. Plaintiffs
v/s.
Janakraj S. Gupta & ors. .. .. Defendants

Mr.H.V. Chande for Plaintiffs.
None for Defendants.

CORAM : SMT.R.S. DALVI, J.

DATED : 29th March, 2007

P.C. :

1. Notice has been served through the office of the Sheriff of Mumbai by Registered Post on 10.1.2006 upon the Defendants. The Plaintiffs' Advocate has also sent a notice to the Defendants' Advocate intimating him about the today's date of hearing. Copy letter of the Advocate for the Plaintiffs with the endorsement of the Defendants' Advocate thereon is taken on record.

2. The endorsement mentions that the amount claimed is fully paid. Mr.Chande, the Plaintiffs' Advocate states that the payments made in instalments to the Plaintiffs have not been specifically appropriated towards either the principal or the interest amount and accordingly, the Plaintiffs, as the creditors, have appropriated them towards interest. Consequently, the claim is not fully satisfied.

3. The Notice is made absolute as prayed. Execution to proceed.

(Smt.R.S. Dalvi, J.)